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1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.1995/MC.I/1
8 May 1995

ORIGINAL: ENGLISH

New York, 17 April-12 May 1995

REPORT OF MAIN COMMITTEE I

Establishment and terms of reference

1. Pursuant to rule 34 of its rules of procedure, as provisionally applied, the Conference established Main Committee I as one of its three Main Committees and decided to allocate to it the following items for its consideration (see NPT/CONF.1995/1):

> Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:
>
> (a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:
>
> (i) Articles I and II and preambular paragraphs 1 to 3;
>
> (ii) Article VI and preambular paragraphs 8 to 12;
>
> (iii) Article VII, with specific reference to the main issues considered in (a) and (b);
>
> (b) Security assurances:
>
> (i) United Nations Security Council resolution 255 (1968);
>
> (ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Officers of the Committee

2. The Conference elected Mr. Isaac Ayewah (Nigeria) as the Chairman of the Committee; Mr. Anatoli Zlenko (Ukraine) and Mr. Richard Starr (Australia) served as Vice-Chairmen of the Committee.

Documents before the Committee

Background documentation*

3. The Committee had before it the following background documents:

NPT/CONF.1995/2	Developments since the Fourth Review Conference of the parties to the Treaty towards the realization of the purposes of the tenth preambular paragraph of the Treaty
NPT/CONF.1995/3	Implementation of articles I and II of the Treaty
NPT/CONF.1995/4	Developments since the Fourth Review Conference of the parties to the Treaty relating to article VI of the Treaty
NPT/CONF.1995/5 and Corr.1	Implementation of article VII of the Treaty
NPT/CONF.1995/6	Developments with regard to effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons
NPT/CONF.1995/7/Part I	Activities of IAEA relevant to article III of the Treaty (prepared by the IAEA secretariat)
NPT/CONF.1995/7/Part II	Other activities relevant to article III of the Treaty (prepared by the United Nations Secretariat)
NPT/CONF.1995/8	Activities of IAEA relevant to article IV of the Treaty
NPT/CONF.1995/9	Activities of IAEA relevant to article V of the Treaty
NPT/CONF.1995/10 and Add.1	Memorandum from the General Secretariat of the Agency for Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the Conference
NPT/CONF.1995/11	South Pacific Nuclear-Free-Zone Treaty

Documents containing elements relevant to a Final Declaration

4. The following documents were submitted to the Conference on the items allocated to the Committee:

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* Some of the documents may also cover items allocated to other Main Committees.

NPT/CONF.1995/13	Letter dated 23 March 1995 from the Permanent Representative of Hungary addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/14	Letter dated 27 March 1995 from the Permanent Representative of Indonesia addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/15	Letter dated 27 March from the Permanent Representative of Indonesia addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/16	Note verbale dated 29 March 1995 from the Permanent Mission of Benin addressed to the Secretariat of the Conference
NPT/CONF.1995/17	Letter dated 10 April 1995 from the Deputy Director of the United States Arms Control and Disarmament Agency addressed to the provisional Secretary-General of the Conference
NPT/CONF.1995/18	Letter dated 17 April 1995 from the Permanent Representative of the People's Republic of China to the United Nations and Deputy Head of the Chinese Delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/19	Letter dated 17 April 1995 from the Alternate Head of the Indonesian Delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/20	Letter dated 17 April 1995 from the representatives of France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the Secretary-General of the Conference
NPT/CONF.1995/23	Letter dated 20 April 1995 from the Under Secretary for Multilateral Affairs and Head of the Delegation of Mexico addressed to the Secretary-General of the Conference
NPT/CONF.1995/24	Letter dated 21 April 1995 from the Head of the Delegation of the United Kingdom of Great Britain and Northern Ireland addressed to the Secretary-General of the Conference
NPT/CONF.1995/25	Note verbale dated 24 April 1995 from the delegation of the Russian Federation addressed to the Secretary-General of the Conference

NPT/CONF.1995/26	Letter dated 25 April 1995 from the Permanent Representative of the People's Republic of China to the United Nations and Deputy Head of the Chinese Delegation addressed to the Secretary-General of the Conference
NPT/CONF.1995/L.1	Draft resolution submitted by Mexico

5. The following documents were submitted to the Committee on the items allocated to it:

NPT/CONF.1995/MC.I/WP.1	Letter dated 25 April 1995 from the Head of the Delegation of Mexico addressed to the Secretary-General of the Conference transmitting a draft protocol to the Treaty
NPT/CONF.1995/MC.I/WP.2	Proposed elements on nuclear disarmament for the final document: working paper submitted by China
NPT/CONF.1995/MC.I/WP.3	Review of articles I and II and the first to third preambular paragraphs: working paper submitted by Iraq transmitting an excerpt from a communication dated 5 April 1995 from the Director General of IAEA to the Secretary-General of the United Nations
NPT/CONF.1995/MC.I/WP.4 and Corr.1	Security assurances to non-nuclear-weapon States: working paper submitted by Egypt
NPT/CONF.1995/MC.I/WP.5 (also issued as NPT/CONF.1995/MC.I/CRP.23)	Article VI and preambular paragraphs 8 to 12: working paper submitted by the members of the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/WP.6 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.5)	Document CD/1277 (6 September 1994) of the Conference on Disarmament containing a draft protocol on security assurances, circulated at the request of Myanmar
NPT/CONF.1995/MC.I/WP.7 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.9)	Collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings in Security Council resolution 984 (1995): proposal submitted by Egypt
NPT/CONF.1995/MC.I/WP.8 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.3)	Treaty to conclude an agreement on negative security assurances to become a protocol to the Treaty: proposal submitted by Nigeria

NPT/CONF.1995/MC.I/WP.9 (also issued as NPT/CONF.1995/MC.I/CRP.11)	Review of articles I and II and the first to third preambular paragraphs: language proposed by the members of the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/WP.10 (also issued as NPT/CONF.1995/MC.I/WG.I/CRP.11)	Textual option for the report of Main Committee I: review of security assurances and nuclear-weapon-free zones: working document submitted by Indonesia on behalf of the members of the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/CRP.3	Security Council resolution 707 (1991), circulated at the request of the United States of America
NPT/CONF.1995/MC.I/CRP.4	Security Council resolution 825 (1993), circulated at the request of the United States of America
NPT/CONF.1995/MC.I/CRP.5	Review of articles I and II and the first to third preambular paragraphs: language proposed by Egypt
NPT/CONF.1995/MC.I/CRP.6	Review of articles I and II and the first to third preambular paragraphs: language proposed by the European Union
NPT/CONF.1995/MC.I/CRP.7	Review of articles I and II and the first to third preambular paragraphs with reference to the European Union paper (NPT/CONF.1995/MC.I/CRP.6): language proposed by the United States of America
NPT/CONF.1995/MC.I/CRP.9	Review of articles I and II and the first to third preambular paragraphs: language proposed by Belarus and Ukraine
NPT/CONF.1995/MC.I/CRP.10	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom of Great Britain and Northern Ireland
NPT/CONF.1995/MC.I/CRP.11 (also issued as NPT/CONF.1995/MC.I/WP.9)	Review of articles I and II and the first to third preambular paragraphs: language proposed by the members of the Movement of Non-Aligned Countries parties to the Treaty

NPT/CONF.1995/MC.I/CRP.12	Review of article VI and the eighth to twelfth preambular paragraphs with reference to NPT/CONF.1995/MC.I/CRP.10: language proposed by the United States of America
NPT/CONF.1995/MC.I/CRP.13	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Ireland
NPT/CONF.1995/MC.I/CRP.14	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Sweden
NPT/CONF.1995/MC.I/CRP.15	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Japan
NPT/CONF.1995/MC.I/CRP.16	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Norway
NPT/CONF.1995/MC.I/CRP.17	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by China
NPT/CONF.1995/MC.I/CRP.18	Review of articles I and II and the first to third preambular paragraphs: language proposed by Belarus and Ukraine
NPT/CONF.1995/MC.I/CRP.19	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Austria
NPT/CONF.1995/MC.I/CRP.21	Programme of action for nuclear disarmament: proposal submitted by Nigeria
NPT/CONF.1995/MC.I/CRP.22	Effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament: language proposed by New Zealand
NPT/CONF.1995/MC.I/CRP.23 (also issued as NPT/CONF.1995/MC.I/WP.5)	Review of article VI and the eighth to twelfth preambular paragraphs: working document submitted by the members of the Movement of Non-Aligned Countries parties to the Treaty
NPT/CONF.1995/MC.I/CRP.24	Review of article VI and the eighth to twelfth preambular paragraphs with reference to NPT/CONF.1995/MC.I/CRP.20: language proposed by the Philippines

NPT/CONF.1995/MC.I/CRP.25	Review of article VI and the eighth to twelfth preambular paragraphs: language proposed by Belarus
NPT/CONF.1995/MC.I/CRP.26	Report of the Working Group on Security Assurances and article VII
NPT/CONF.1995/MC.I/CRP.27	Proposed variations to paragraph 9 of the Chairman's paper (NPT/CONF.1995/CRP.20/Rev.2) on the review of articles I and II and the first to third preambular paragraphs, submitted by Algeria, Gabon, Ireland and Ukraine
NPT/CONF.1995/MC.I/WG.I/CRP.2	Position of France on security assurances to non-nuclear-weapon States
NPT/CONF.1995/MC.I/WG.I/CRP.3 (also issued as NPT/CONF.1995/MC.I/WP.8)	Agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty: proposal submitted by Nigeria
NPT/CONF.1995/MC.I/WG.I/CRP.5 (also issued as NPT/CONF.1995/MC.I/WP.6)	Document CD/1277 (6 September 1994) of the Conference on Disarmament containing a draft protocol on security assurances, circulated at the request of Myanmar
NPT/CONF.1995/MC.I/WG.I/CRP.6	Nuclear-weapon-free zones: language proposed by China
NPT/CONF.1995/MC.I/WG.I/CRP.7	Article VII: language proposed by Australia, Bolivia, Fiji, Mexico, New Zealand, Nigeria, Peru, Samoa, Solomon Islands and South Africa
NPT/CONF.1995/MC.I/WG.I/CRP.9 (also issued as NPT/CONF.1995/MC.I/WP.7)	Collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings in Security Council resolution 984 (1995): proposal submitted by Egypt
NPT/CONF.1995/MC.I/WG.I/CRP.10	Security assurances to non-nuclear-weapon States parties to the nuclear-weapon-free zone arrangements: language proposed by Egypt
NPT/CONF.1995/MC.I/WG.I/CRP.11 (also issued as NPT/CONF.1995/MC.I/WP.10)	Textual option for the report of Main Committee I: review of security assurances and nuclear-weapon-free zones: working document submitted by Indonesia on behalf of the members of the Movement of Non-Aligned Countries parties to the Treaty

Work of the Committee

6. The Committee held 12 meetings between 19 April and 6 May 1995; an account of the discussions is contained in the relevant summary records (NPT/CONF.1995/MC.I/SR.1-12). After an initial general exchange of views on the agenda items referred to it, the Committee gave consideration to proposals contained in the documents listed in paragraphs 3 to 5 above.

7. At its first meeting, on 19 April 1995, the Committee established an open-ended working group to facilitate the consideration of matters before it.

8. The allocation of work was as follows:

(a) Working Group I (chaired by Mr. Richard Starr) considered issues of security assurances and article VII allocated to the Committee;

(b) By agreement with the Chairman of Main Committee II, the relevant aspects of article VII were addressed in an open-ended working group established to consider the topic of nuclear-weapon-free zones.

9. The Committee agreed on the following formulations for the Final Document of the Conference:

I. REVIEW OF ARTICLES I AND II AND THE FIRST TO THIRD PREAMBULAR PARAGRAPHS

1. The Conference reaffirms that the full and effective implementation of the Treaty and the regime of non-proliferation in all its aspects has a vital role in promoting international peace and security. The Conference therefore welcomes the accession to the Treaty on the Non-Proliferation of Nuclear Weapons since the last Review Conference of the following States: Algeria, Argentina, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, China, Croatia, Czech Republic, Eritrea, Estonia, France, Georgia, Guyana, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Marshall Islands, Mauritania, Micronesia (Federated States of), Monaco, Myanmar, Namibia, Niger, Palau, Republic of Moldova, Slovakia, Slovenia, South Africa, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine, United Republic of Tanzania, Uzbekistan, Zambia and Zimbabwe. The Conference notes with satisfaction that the vast majority of States Members of the United Nations, including all five nuclear-weapon States, as defined in article IX, are now parties to the Treaty. The Conference remains convinced that full compliance of all parties with, and universal adherence to, the Treaty is the best way to prevent the spread of nuclear weapons and other nuclear explosive devices.

2. The Conference congratulates [welcomes] South Africa for voluntarily giving up its nuclear-weapons programme and acceding to the Treaty as a non-nuclear-weapon State. The Conference welcomes the accession of Belarus, Kazakhstan and Ukraine to the Treaty as non-nuclear-weapon States and the voluntary renunciation of nuclear weapons by them, and notes with satisfaction the significant contribution of those States to nuclear

disarmament and the strengthening of regional and global security. The Conference believes that these actions have strengthened the Treaty, and, recognizing that example, calls upon other States non-parties to accede to it without delay.

3. The Conference reaffirms its determination to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by non-nuclear-weapon States parties to the Treaty. Such proliferation would add immeasurably to regional and international tensions. It would increase the risk of nuclear war and endanger the security of all States.

4. The Conference reiterates the concerns and reaffirms the convictions expressed in the first to third preambular paragraphs and agrees that they remain valid. The Conference reaffirms that a nuclear war cannot be won and must never be fought, considering the devastation that a nuclear war would bring. The Conference further reaffirms its conviction that proliferation of nuclear weapons, in any form, would seriously increase the danger of nuclear war. In that light, the Conference welcomes the statement of 31 January 1992 by the United Nations Security Council that "the proliferation of all weapons of mass destruction constitutes a threat to international peace and security".

5. The Conference acknowledges the declarations by the nuclear-weapon States that they have fulfilled their obligations under article I, [with exceptions that have been noted by the international community. The Conference underscores the need for nuclear-weapon States to remain in full compliance with the letter and the spirit of article I. The Conference further reiterates that the prohibition of the transfer of nuclear weapons and nuclear explosive devices includes transfers between nuclear-weapon States.]

6. The Conference further acknowledges that the non-nuclear-weapon States have fulfilled their obligations under article II, with exceptions that have been noted by the international community.

7. [The Conference underlines the vital need for the nuclear-weapon States and the non-nuclear-weapon States parties to the Treaty to comply scrupulously and unreservedly with their respective obligations under articles I and II in all their activities and programmes in order not to undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

7 bis. [The Conference underlines the vital need for the nuclear-weapon States and the non-nuclear-weapon States parties to the Treaty, in all their activities and programmes, to comply scrupulously and unreservedly with their respective obligations under articles I and II in order not to undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

8. [The Conference expresses serious concern that the nuclear programmes of certain States non-parties to the Treaty may, particularly in the Middle

East and South Asia, have led them to obtain, or seek to obtain, a nuclear-weapons capability. This lack of respect for the non-proliferation regime is prejudicial to international peace and security. The Conference takes note of the particular concern expressed by many States parties about the ambiguous status of the nuclear-weapons capability of Israel. The Conference calls upon all States parties to undertake a total and complete prohibition of the transfer of all sensitive nuclear technology to those certain States non-parties and to refrain from extending them assistance in the nuclear field. The Conference calls on all States non-parties to renounce the nuclear-weapons option, to accede to the Treaty and to accept full-scope IAEA safeguards on all their nuclear activities as an important confidence-building measure and as a step towards the universality of the Treaty, thus enhancing international peace and security.]

8 bis. [The Conference expresses serious concern that the nuclear programmes [and activities] of certain States non-parties to the Treaty may, particularly in the Middle East, have led them to obtain, or seek to obtain, a nuclear-weapons capability. This lack of respect for the non-proliferation regime is prejudicial to international peace and security. [The Conference expresses great and serious concern about the nuclear-weapons capability of Israel.] The Conference calls upon all States Parties to undertake a total and complete prohibition of the transfer of all sensitive nuclear technology to those certain States non-parties and to refrain from extending them assistance in the nuclear field. The Conference calls on all States non-parties to renounce the nuclear-weapons option, to accede to the Treaty and to accept full-scope IAEA safeguards on all their nuclear activities as an important confidence-building measure and as a step towards the universality of the Treaty, thus enhancing international peace and security.]

8 ter. [The Conference expresses great and serious concern about the nuclear-weapons capabilities of Israel. In this connection, the Conference calls for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and refraining from extending assistance in the nuclear, scientific or technological fields to Israel. The Conference also calls upon Israel to accede to the Treaty and to place all of its nuclear facilities under the full-scope IAEA safeguards. In this respect, the Conference also call[s] on all other States non-parties to the Treaty to accede to the Treaty and to subject whatever nuclear facilities they might have to the full-scope IAEA safeguards.]

8 qua. [The Conference also expresses serious concern over the nuclear [programmes and] activities of certain States non-parties to the Treaty in South Asia. The Conference calls upon the concerned States to accede to the Treaty and to place all their nuclear programmes and facilities under full-scope IAEA safeguards forthwith.]

8 qui. [The Conference expresses grave and serious concern about the nuclear-weapons capabilities of Israel. In this connection, the Conference calls upon Israel to renounce its nuclear-weapons option, to accede to the Treaty, and to accept full-scope IAEA safeguards on all its nuclear

activities as an important confidence-building measure and as a step towards the universality of the Treaty, thus enhancing both regional and international peace and security.]

9. [The Conference notes that among States parties there are variations in the interpretation [various interpretations of the implementation] of certain aspects of articles I and II which need clarification, especially regarding the obligations of nuclear-weapon States parties among themselves and when acting in cooperation with groups of nuclear-weapon States parties and non-nuclear-weapon States parties under regional arrangements which may have resulted in transfer of nuclear weapons in violation of the spirit and objective of article I.]

9 bis. [The Conference notes with grave concern the nuclear collaboration among certain nuclear-weapon States and their collaboration with certain States non-parties to the Treaty, as well as the transfer of nuclear weapons and their control to States parties, under regional security alliances and arrangements. The Conference is convinced that such acts run counter to the spirit and letter of the Treaty, in particular articles I and II, and give rise to proliferation of nuclear weapons in all their aspects.]

9 ter. [The Conference notes that among States parties there are various interpretations of certain aspects of articles I and II, especially regarding the obligations of nuclear-weapon States parties among themselves and when acting in cooperation with groups of non-nuclear-weapon States parties. Pending that clarification, the Conference underlines the vital need for all parties to the Treaty to avoid any actions or statements that could raise questions about their full compliance, and thereby undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

9 qua. [The Conference agrees that [existing security arrangements are implemented in full compliance with articles I and II of the Treaty] the provisions of articles I and II are fully compatible with the commitment undertaken by States parties in existing security agreements.]

9 qui. [The Conference notes that among States parties there are various interpretations of certain aspects of articles I and II, inter alia, regarding the obligations of nuclear-weapon States parties among themselves and when acting in cooperation with groups of non-nuclear-weapon States, as well as the full compatibility of the existing security arrangements with articles I and II of the Treaty.]

9 sex. [The Conference notes that among States parties there are various interpretations of certain aspects of articles I and II. The Conference underlines the vital need for all parties to the Treaty to avoid any actions that could raise questions about their full compliance, and thereby undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

9 sep. [The Conference notes that among States parties there are various interpretations of articles I and II. Pending confirmation on the full compatibility of the existing security arrangements with the provisions of articles I and II, the Conference underlines the vital need for all parties to the Treaty to avoid any actions or statements that could raise questions about their full compliance, and thereby undermine the confidence of other parties in the security offered to them by their commitment to the Treaty.]

9 okt. [The Conference notes that among States parties there are various interpretations of articles I and II. The Conference reminds States parties of the need to ensure that security arrangements are compatible with the Treaty.]

10. The Conference calls on all States parties to renew their commitments to the Treaty and to maintain their vigilance so that the spirit and objectives of the Treaty, as well as their obligations, are upheld.

11. The Conference stresses that strict compliance with the terms of articles I and II remains central to achieving the shared objectives of preventing under any circumstances the further proliferation of nuclear weapons and other nuclear explosive devices and preserving the Treaty's vital contribution to international peace and security.

II. ARTICLE VI AND THE EIGHTH TO TWELFTH PREAMBULAR PARAGRAPHS

General

1. [The Conference reaffirms that the prevention of the proliferation of nuclear weapons is not an end in itself, but an intermediate step leading towards the ultimate objective of complete prohibition and thorough destruction of nuclear weapons. The Conference further reaffirms that all nuclear weapons must be eliminated from the face of the earth in the spirit of the preamble of the Treaty.]* The Conference recalls that under the provisions of article VI each of the parties undertakes to pursue negotiations in good faith on effective measures relating to:

(a) Cessation of the nuclear-arms race at an early date;

(b) Nuclear disarmament;

(c) A treaty on general and complete disarmament under strict and effective international control.

2. The Conference also recalls the eighth to twelfth preambular paragraphs, by which the parties:

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* Placement to be decided later.

(a) Declared their intention to achieve at the earliest possible date the cessation of the nuclear-arms race and to undertake effective measures in the direction of nuclear disarmament;

(b) Urged the cooperation of all States in the attainment of this objective;

(c) Recalled the determination expressed by the parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (the partial test-ban Treaty) in its preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end;

(d) Expressed their desire to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control;

(e) Recalled that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources.

3. [The Conference notes with regret that the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty have not been completely fulfilled since the Treaty came into force. The Conference then reviewed the operation of the Treaty in respect of each aspect of article VI and of the eighth to twelfth preambular paragraphs.]

3 bis. [The Conference notes with regret that the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty have not been completely fulfilled since the Treaty came into force. In this regard, the Conference stresses the need for the cessation of the nuclear-arms race at the earliest possible date and to undertake effective measures in the direction of nuclear disarmament. In this context, the Conference urges the cooperation of all States in the attainment of this objective.]

3 ter. [The Conference recognizes that there has been dramatic progress in the period under review concerning implementation of the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty, but notes with regret that these provisions have not been completely fulfilled. The Conference then reviewed the operation of the Treaty in respect of each aspect of article VI and of the eighth to twelfth preambular paragraphs.]

Cessation of the nuclear-arms race

4. [The Conference notes with concern that the nuclear-arms race has not ceased. The Conference is convinced that as long as a comprehensive test-ban treaty, a non-discriminatory and universally applicable treaty banning the production and stockpiling of fissile material for nuclear weapons and other explosive devices, and a legally binding commitment by nuclear-weapon States on no-first use and non-use of nuclear weapons, have not been concluded, and the nuclear-arms race continues, particularly with respect to continuing qualitative improvements to existing nuclear weapons and their delivery systems, it will remain, as before, a major source of concern.]

5. [The Conference recognizes that for most of the period since the entry into force of the Treaty, the nuclear-arms race has [continued unabated and has] been a source of concern, although some progress may have been made in some respects. Until recently, this fact has coloured the appreciation of the worth of the Treaty as a whole, although developments in the international situation since the end of the cold war have now permitted a new approach. In this regard, the Conference welcomes the unilateral commitments of the Russian Federation and the United States of America to undertake deep cuts [significant reductions] in the area of tactical nuclear weapons and strategic delivery systems.]

5 bis. [The Conference welcomes the fact that the nuclear-arms race has ceased. Positive international developments in recent years have led to dramatic [significant] reductions in nuclear arsenals as well as to other major arms control and disarmament achievements. The Conference expresses the expectation that this trend will continue and will encourage further efforts in arms control and disarmament negotiations.]

5 ter. [The Conference recognizes that for most of the period since the entry into force of the Treaty, the nuclear-arms race has continued unabated and has been a source of concern, although some progress may have been made in some respects. Developments in the international situation since the end of the cold war have now permitted a new approach. Positive international developments in recent years have led to dramatic reductions in nuclear arsenals as well as to other major arms control and disarmament achievements. The Conference expresses the expectation that this trend will continue and will encourage further efforts in arms control and disarmament negotiations. In this regard, the Conference welcomes the unilateral commitments of the Russian Federation and the United States of America to undertake deep cuts in the area of tactical nuclear weapons and strategic delivery systems.]

5 qua. [The Conference recognizes that for most of the period since the entry into force of the Treaty, the nuclear-arms race continued unabated and was a source of concern. Developments in the international situation since the end of the cold war have now permitted a new approach. Positive international developments in recent years have led to dramatic reductions in nuclear arsenals as well as to other major arms control and disarmament achievements. The Conference expresses the expectation that this trend

will continue and will encourage further efforts in arms control and disarmament negotiations. In this regard, the Conference welcomes the unilateral commitments of the Russian Federation and the United States of America to undertake deep cuts in the area of tactical nuclear weapons and strategic delivery systems.]

6. The Conference notes that the cessation of the nuclear-arms race has been manifested in many ways, the most notable demonstration being the deep cuts in nuclear armaments by the United States of America and the Russian Federation. The significant reductions by France and the United Kingdom of Great Britain and Northern Ireland are another sign that a corner has been turned and indeed that the race has been reversed, a development warmly welcomed by the Conference. The practical steps taken by some nuclear-weapon States, including [no-first use] de-targeting, [unconditional security assurances to non-nuclear-weapon States,] the removal of warheads and the relaxation of alert states are all positive signs indicative of the spirit and objectives of the Treaty.

7. [The Conference regrets that despite some positive developments, the nuclear-arms race continues, particularly with respect to continuing qualitative improvements to existing nuclear weapons and their delivery systems. The Conference remains convinced that proliferation of nuclear weapons, both horizontally and vertically, would seriously increase the danger of nuclear war. While recognizing the progress that has been made, the Conference believes that much of it is due to factors unrelated to the implementation of the Treaty. Therefore, in calling for further positive steps, the Conference recalls with regret that, since the Treaty came into force, the provisions of article VI and the eighth to twelfth preambular paragraphs of the Treaty have not been completely fulfilled.]*

8. [The Conference recognizes [expresses grave concern about] the danger of [emanating from] certain States, with significant but unsafeguarded nuclear programmes, non-parties to the Treaty, creating a new form of nuclear-arms race.]

8 bis. [The Conference expresses grave concern about the danger of certain States, with significant but unsafeguarded nuclear programmes, non-parties to the Treaty, as well as nuclear-weapon States, creating a new form of nuclear-arms race.]

8 ter. [The Conference recognizes and expresses concern about the risk of proliferation that results from the continued presence of unsafeguarded nuclear facilities and programmes in States non-parties to the Treaty.]

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* May be considered with para. 5.

Nuclear disarmament

9. [The Conference notes with grave concern that negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control as called for in article VI have yet to begin.]

10. [The Conference notes that the Treaty contains the first and so far only contractual commitments by the nuclear-weapon States to negotiate in good faith on nuclear disarmament. [The Conference calls for the continuation and intensification of nuclear-arms control and disarmament negotiations of all types with the participation of all nuclear-weapon States.] The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America solemnly reaffirmed their commitments as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. This would provide a basis for further nuclear disarmament, involving all nuclear-weapon States.]

10 bis. [The Conference notes that the Treaty contains the first and so far only contractual commitments by the nuclear-weapon States to negotiate in good faith on nuclear disarmament. The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America solemnly reaffirmed their commitments to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. This would provide a basis for further nuclear disarmament, involving all nuclear-weapon States.]

10 ter. [The Conference notes that the Treaty contains the first and so far only contractual commitments by the nuclear-weapon States to negotiate in good faith on nuclear disarmament. The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America solemnly reaffirmed their commitments as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. This would provide a basis for further nuclear disarmament.]

10 qua. [The Conference notes that the Treaty contains the first and so far only contractual commitments by the nuclear-weapon States to negotiate in good faith on nuclear disarmament. The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America solemnly reaffirmed their commitments as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear

disarmament, which remains their ultimate g al. The Conference also takes note with appreciation of the commitment by China to work towards a convention on the complete prohibition and thorough destruction of nuclear weapons. These commitments provide a basis for further nuclear disarmament, involving all nuclear-weapon States.]

11. [The Conference welcomes the fact that significant steps have been taken in regard to nuclear disarmament. It also stresses that further urgent efforts must be made towards the goal of general and complete disarmament under effective international control at an early date. [The Conference underlines that the objectives of non-proliferation and nuclear disarmament are mutually reinforcing and should be actively pursued together.]]

11 bis. [The Conference welcomes the reversal and transformation of the nuclear-arms race into a process of nuclear-arms control and disarmament. Over the next decade thousands of nuclear weapons are scheduled for dismantling and destruction. The Conference welcomes the fact that significant steps have been taken in regard to nuclear disarmament; it also stresses that further efforts must be made towards the goal of general and complete disarmament under effective international control at an early date.]

11 ter. [The Conference welcomes the fact that significant steps have been taken in regard to nuclear disarmament by the two major nuclear-weapons States. It stresses that further urgent efforts must be made towards the goal of general and complete disarmament under effective international control at an early date.]

12. [The Conference notes that during the period under review there has been a major improvement in the climate of bilateral relations between the Union of Soviet Socialist Republics, and now the Russian Federation, and the United States, as well as in the international climate as a whole. It also notes that efforts towards effective measures for nuclear disarmament have recently resulted in the conclusion of the Treaties between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START I and START II) [which, pending their ratification and implementation, will ultimately result in substantial cuts in their nuclear arsenals] [which has led to deep cuts or intended reductions in their nuclear arsenals]. [START I has entered into force and START II is pending ratification, but deep cuts in accordance with these Treaties have already begun and are ongoing.] While acknowledging these steps the Conference urges them [to bring START II into force and] to implement fully the provisions of the treaties as soon as possible.]

12 bis. [The Conference notes that during the period under review there has been a major improvement in the climate of bilateral relations between the Union of Soviet Socialist Republics, and now the Russian Federation, and the United States, as well as in the international climate as a whole. It also notes that efforts towards effective measures for nuclear disarmament have recently resulted in the conclusion of the Treaties

between the United States and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms (START I and START II) [which, pending their ratification and implementation, will ultimately result in substantial cuts in their nuclear arsenals] [which has led to deep cuts or intended reductions in their nuclear arsenals]. [START I has entered into force and START II is pending ratification, but deep cuts in accordance with these Treaties have already begun and are ongoing.] While acknowledging these steps the Conference urges them [to bring START II into force and] to implement fully the provisions of the treaties as soon as possible. [This would provide a basis for further nuclear disarmament, involving all nuclear-weapon States.] This disarmament process requires strict procedures for the safe handling and storage of nuclear-weapon components and weapons-grade fissile material in order to prevent the material from falling into wrong hands, and in order to take account of major environmental concerns. Further, the Conference notes the recent phenomena of smuggling and illicit trafficking in nuclear materials. In that regard it expresses concern about the danger presented by terrorists or other criminal elements who might gain access to nuclear materials with the potential for use in nuclear-weapons production, and urges the international community to be vigilant, to improve and develop mechanisms to thwart this potential proliferation risk and to eliminate the threat such developments pose to international peace and security.]

13. The Conference acknowledges the important contribution by Belarus, Kazakhstan and Ukraine to implementation of article VI of the Treaty through their effective efforts in nuclear disarmament and consistent fulfilment of their obligations under START I and the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles.

14. [The Conference also acknowledges the significant reductions by France and the United Kingdom in their respective nuclear-weapons programmes and encourages them to pursue their efforts in this regard. At the same time, while noting China's call for a binding convention prohibiting the production of nuclear weapons, the Conference calls upon it to take similar steps by reducing its nuclear stockpile.]

14 bis. [The Conference also acknowledges the reductions by France and the United Kingdom in their respective nuclear programmes and calls for more action in that regard. [The Conference notes the statements of France and the United Kingdom that they have committed themselves to reductions in their respective nuclear programmes, and calls upon them to implement those statements as soon as possible.] At the same time, while noting China's call for a binding convention prohibiting the production of nuclear-weapons programmes, the Conference calls upon it to take similar steps by reducing its nuclear stockpile.]

14 ter. [The Conference also acknowledges the reductions by France and the United Kingdom in their respective nuclear programmes and calls for more action in that regard. [The Conference notes the statements of France and the United Kingdom that they have committed themselves to reductions in their respective nuclear programmes, and calls upon them to implement those

statements as soon as possible.] The Conference notes China's call for a convention on the complete prohibition and thorough destruction of nuclear weapons under international supervision [and acknowledges that China has always exercised utmost restraint with respect to the development of nuclear weapons and kept its nuclear arsenal to a minimum level].]

14 qua. [The Conference also acknowledges the reductions by France and the United Kingdom in their respective nuclear programmes and calls for further accelerated disarmament measures in this regard. [The Conference notes the statements of France and the United Kingdom that they have committed themselves to reductions in their respective nuclear programmes, and calls upon them to implement those statements as soon as possible.] At the same time, while noting China's call for a binding convention prohibiting the production of nuclear-weapons programmes, the Conference calls upon it to take similar steps by reducing its nuclear stockpile.]

15. [The Conference recalls that, unfortunately, the number of nuclear weapons currently existing is more than the number of nuclear weapons existing at the time the Treaty came into force.] [It also notes, in terms of destructive power, that the arsenals are much less than in 1968.]

15 bis. [The Conference recalls that, unfortunately, the number of nuclear weapons currently existing is more than the number of nuclear weapons existing at the time the Treaty came into force. Accordingly, the Conference calls upon all nuclear-weapon States to cease all production of nuclear weapons under an effective, verifiable ban and to redouble their efforts to reduce their respective arsenals still further, with a view to their elimination.]

15 ter. [The Conference recalls with regret that these numbers far exceed those of 1968 when the Treaty was first signed.]

15 qua. [The Conference recalls that, notwithstanding the significant cuts in recent years, the number of nuclear weapons currently existing is more than the number of nuclear weapons existing at the time the Treaty came into force. [It acknowledges, however, that the gross explosive powers of the existing nuclear weapons is less than at the time the Treaty came into force.]]

15 qui. [The fact remains that the number of nuclear weapons currently existing is more than the number of nuclear weapons at the time the Treaty came into force. Accordingly, the Conference considers that it is timely for the States parties to negotiate a treaty which will ban nuclear weapons for ever.]

15 sex. [The Conference recalls that, notwithstanding the significant cuts in recent years, the number of nuclear weapons currently existing is more than the number of nuclear weapons existing at the time the Treaty came into force. It acknowledges, however, that the gross explosive powers of the existing nuclear weapons is less than at the time the Treaty came into force.]

16. [The Conference regrets the continuing lack of progress on relevant items of the agenda of the Conference on Disarmament, in particular those relating to the cessation of the nuclear-arms race and nuclear disarmament, the prevention of nuclear war, including all related matters, a convention on the production and stockpiling of weapons-grade fissile materials, the cessation of the production of nuclear weapons, the cessation of the production of their delivery vehicles, the prevention of an arms race in outer space and the establishment of an effective internationally negotiated legally binding instrument on security assurances.]

16 bis. [The Conference notes the important progress achieved in the Conference on Disarmament on some issues related to nuclear disarmament. It also notes the lack of progress at the Conference on Disarmament in other areas related to nuclear disarmament. It recalls that the agenda of the Conference on Disarmament, particularly on nuclear disarmament, is under review and expresses the wish that the Conference on Disarmament should intensify its efforts to carry forward progress in all areas.]

16 ter. [The Conference further notes the lack of progress at the Conference on Disarmament in many areas related to the question of nuclear disarmament and calls upon the members of that body to make substantial progress on items relating to nuclear disarmament.]

17. [[The Conference welcomes the fact that over the next decade thousands of nuclear weapons are scheduled for dismantling and destruction. This disarmament process requires strict procedures for the safe handling and storage of nuclear-weapon components and weapons-grade fissile material in order to prevent the material from falling into wrong hands, and in order to take account of major environmental concerns.] Further, the Conference notes the recent phenomena of smuggling and illicit trafficking in nuclear materials. In that regard it further expresses concern about the danger presented by terrorists or other criminal elements who might gain access to nuclear materials with the potential for use in nuclear-weapons production, and urges the international community to be vigilant, to improve and develop mechanisms to thwart this potential proliferation risk and to eliminate the threat such developments pose to international peace and security.]

17 bis. [[The Conference welcomes the fact that over the next decade thousands of nuclear weapons are scheduled for dismantling and destruction.] This disarmament process requires strict procedures for the safe handling and storage of nuclear-weapon components and weapons-grade fissile material in order to prevent the material from falling into wrong hands, and in order to take account of major environmental concerns. Further, the Conference notes the recent phenomena of smuggling and illicit trafficking in nuclear materials. In that regard it further expresses concern about the danger presented by unsafeguarded shipment of nuclear materials, including by terrorists or other criminal elements who might gain access to nuclear materials with the potential for use in nuclear-weapons production, and urges the international community to be vigilant, to improve and develop mechanisms to thwart this danger to the environment and security of all regions, in particular nuclear-weapon-free zones.]

18. [The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995 in which France, the Russian Federation, the United Kingdom and the United States solemnly reaffirmed their commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. The Conference calls for the intensification of nuclear arms control and disarmament negotiations of all types with the earliest participation of all nuclear-weapon States, with the ultimate goal of the elimination of nuclear weapons.]

18 bis. [The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995 in which France, the Russian Federation, the United Kingdom and the United States solemnly reaffirmed their commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. In this context, the Conference calls for the continuation of nuclear-arms control and disarmament negotiations of all types with the earliest participation of all nuclear-weapon States.]

18 ter. [The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995 in which France, the Russian Federation, the United Kingdom and the United States solemnly reaffirmed their commitment to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal. The Conference calls for the intensification of nuclear arms control and disarmament negotiations of all types with the earliest participation of all nuclear-weapon States, with the ultimate goal of the elimination of nuclear weapons.]

18 qua. [The Conference takes note with appreciation of the statement to the Conference on Disarmament on 6 April 1995 in which France, the Russian Federation, the United Kingdom and the United States solemnly reaffirmed their commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains their ultimate goal.]

18 qui. [The Conference calls for the intensification of negotiations towards further reduction and elimination of all types of nuclear weapons and the means of their delivery, with the earliest participation of all nuclear-weapon States. The Conference believes that all the nuclear-weapon States should commit themselves to a definite, time-bound programme of action for the continued reduction of nuclear weapons, leading to their total elimination. The Conference calls upon the Conference on Disarmament to begin deliberating on the programme of action as soon as possible. The Conference firmly believes that such a programme of action will effectively contribute to the early realization of the objectives of article VI and the eighth to twelfth preambular paragraphs of the Treaty.]

[Comprehensive test-ban treaty]

19.* [The Conference expresses the view that the conclusion of a treaty banning all nuclear-weapon tests is one of the most important measures to halt the nuclear-arms race. The Conference reaffirms the determination expressed in the preamble to the 1963 Treaty Banning Nuclear-Weapon Tests in the Atmosphere, in Outer Space and under Water, and reiterated in the tenth preambular paragraph of the Treaty on the Non-Proliferation of Nuclear Weapons, to achieve the discontinuance of all test explosions of nuclear weapons for all time.]

19 bis. [The Conference recalls that the conclusion of a treaty banning all nuclear-weapon tests is one of the most important measures to halt the nuclear-arms race and expresses its belief that a comprehensive test-ban treaty would significantly enhance the universality and continued viability of the Treaty.]

20. [The Conference recalls the annual appeals made in General Assembly resolutions since 1981 calling for a moratorium on nuclear-weapon tests pending the conclusion of a comprehensive test-ban treaty. In this respect, the Conference notes the moratorium assumed by the four nuclear-weapon States and urges all the nuclear-weapon States to observe it.] The Conference welcomes the consensus resolution on a comprehensive test-ban treaty at the forty-eighth and forty-ninth sessions of the General Assembly (resolutions 48/70 of 16 December 1993 and 49/70 of 15 December 1994).

21. [The Conference also welcomes the establishment by the Conference on Disarmament in 1994 of an Ad Hoc Committee on a Nuclear Test Ban with a mandate to negotiate a universal and internationally and effectively verifiable comprehensive nuclear test-ban treaty [which should ban all nuclear-weapon tests in all environments, using whatever techniques, for all time]. [The Conference further welcomes the progress made in the negotiations, on the basis of which a conclusion is now within reach.] The Conference urges all States participating in the Conference on Disarmament, in particular the nuclear-weapon States, to negotiate intensively, as a high priority task, and to conclude a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which would contribute to nuclear disarmament and the prevention of the proliferation of nuclear weapons in all its aspects. The Conference also calls once more upon all States to support the multilateral negotiations in the Conference on Disarmament for a comprehensive nuclear-test-ban treaty and their conclusion without delay. The Conference affirms its support for the expeditious and intensive continuation of the negotiations as the highest priority for the Conference on Disarmament, with the aim of concluding the text of the treaty [in 1995, to enable signature no later than 1996].]

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* A proposal was made that the placement of paras. 19-29 would be determined at a later date.

21 bis. [The Conference notes with satisfaction that the Conference on Disarmament has reactivated its Ad Hoc Committee on a Nuclear Test Ban with a mandate to negotiate intensively a comprehensive test-ban treaty which should ban all nuclear-weapon tests in all environments, using whatever techniques, for all time. The Conference emphasizes the critical importance of the Ad Hoc Committee on a Nuclear Test Ban completing its work by the end of 1995.]

21 ter. [The Conference also stresses the important contribution that a treaty banning nuclear-weapon tests would make towards strengthening and extending the international barriers against the proliferation of nuclear weapons, and that it would contribute greatly to the elimination of the grave threat to the environment and human health represented by continued nuclear testing. The Conference further stresses that adherence to such a treaty by all States would contribute substantially to the full achievement of the non-proliferation objective.]

21 qua. [The Conference welcomes also the establishment by the Conference on Disarmament in 1994 of an Ad Hoc Committee on a Nuclear Test Ban with a mandate to negotiate a universal and internationally and effectively verifiable comprehensive test-ban treaty [which should ban all nuclear-weapon tests in all environments, using whatever techniques, for all time]. The Conference also welcomes the progress made in the negotiations, on the basis of which a conclusion is now within reach. The Conference urges all States participating in the Conference on Disarmament, in particular the nuclear-weapon States, to negotiate intensively, as a high priority task, and to conclude a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty which would contribute to nuclear disarmament and the prevention of the proliferation of nuclear weapons. The Conference calls once more upon all States to support the multilateral negotiations in the Conference on Disarmament for a comprehensive nuclear-test-ban treaty and their conclusion without delay. The Conference affirms its support for the expeditious and intensive continuation of the negotiations as the highest priority for the Conference on Disarmament, with the aim of concluding the text of the treaty [in 1995, to enable signature no later than 1996].]

22. [The Conference welcomes the reaffirmation by France, the Russian Federation, the United Kingdom and the United States in their statement to the Conference on Disarmament of 6 April 1995 of their commitment to negotiate intensively, within the mandate of the Conference on Disarmament, a comprehensive test-ban treaty, leading to its early conclusion. The Committee also welcomes the commitment by China to work towards the conclusion of a comprehensive test-ban treaty as early as possible and no later than 1996.]

23. [The Conference expresses the hope, pending the conclusion of a comprehensive test-ban treaty in 1996, that the four nuclear-weapon States parties to the Treaty which have a moratorium on testing would continue that moratorium and that the remaining nuclear-weapon State would immediately undertake the same commitment.]

23 bis. [The Conference welcomes the reaffirmation of the conviction that the exercise of utmost restraint in respect of nuclear testing would be consistent with the negotiation of a comprehensive nuclear test-ban treaty.]

[Ban on the production of fissile material]

24. [The Conference recalls that a ban on the production and stockpiling of weapons-usable fissile material has been a long-sought objective of the international community.]

24 bis. [The Conference calls for an early conclusion of a non-discriminatory and universally applicable convention banning the production and stockpiling of weapons-usable fissile material. The Conference expresses the belief that such a convention would make an important contribution towards nuclear disarmament.]

24 ter.* [The Conference expresses grave concern about the danger presented by terrorists or other criminal elements who might have unauthorized access to nuclear installations and materials. The Conference urges the international community to elaborate instruments to eliminate the threat such developments pose to regional and global security.]

25. [The Conference welcomes the adoption by consensus at the forty-eighth session of the General Assembly of a resolution calling for the negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. [The Conference notes with regret that this consensus has not been renewed by the General Assembly at its forty-ninth session.]]

25 bis. [The Conference calls for the establishment of a non-discriminatory and universally applicable convention banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices. The Conference expresses the belief that such a convention would make an important contribution towards nuclear disarmament.]

26. It also welcomes the agreement reached in March 1995 to establish an ad hoc committee of the Conference on Disarmament to negotiate such a convention and urges that the negotiations begin forthwith. [Not only future production but also existing stockpiles should be the subject of these negotiations.]

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* Placement to be decided later.

27. Pending such a convention, the Conference acknowledges the respective commitments [and actions] taken by France (1992), the Russian Federation (1994), the United Kingdom (1995) and the United States (1992) regarding the cessation of the production of plutonium and/or highly enriched uranium for weapons or explosive purposes. It also acknowledges the bilateral statement of 4 October 1994, in which China and the United States agreed to work together for a convention as envisaged in the Conference on Disarmament. [It also notes the unresolved question of stockpiles and calls upon the nuclear-weapon States to clarify matters in that regard.]

28. [The Conference welcomes statements by the United States and the Russian Federation that their bilateral nuclear-arms race had ended. The Conference expressed its wish to make permanent the cessation of the nuclear-arms race as a further contribution to meeting the goals of article VI. The Conference therefore agrees that consideration should be given to the merits of complementing a comprehensive nuclear-test ban and ban on the production of fissile material for weapons purposes with an effectively verifiable ban on the production of nuclear weapons.]

General and complete disarmament

29. In reviewing steps towards a treaty on general and complete disarmament under strict and effective international control, the Conference welcomes the conclusion in 1992 of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. The Conference calls upon all States [which have not already done so, to sign and] to ratify the Convention in order to bring it into force at the earliest possible date. [With a view to bringing into force and to implementing the Convention at the earliest possible date, it calls upon all States to ratify the Convention.] The Conference commends ongoing efforts to strengthen the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on the Destruction, in particular in the field of verification, following the 1994 Special Conference of the States parties.

30. The Conference welcomes the review process of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects [in order to strengthen its Protocol II, in particular in the field of anti-personnel land mines].

31. [The Conference welcomes the significant reductions in conventional arms brought about by the implementation of the Treaty on Conventional Armed Forces in Europe. The Conference also welcomes the conclusion of the Treaty on Open Skies and urges [all countries which have not yet done so to ratify it as soon as possible] its rapid entry into force. The Conference notes progress in the Vienna Agreements on Confidence and Security-Building Measures.]

31 bis. [The Conference welcomes the significant reductions in conventional arms brought about by [the implementation of] the Treaty on Conventional Armed Forces in Europe. The Conference also welcomes the conclusion of the Treaty on Open Skies and urges [all countries which have not yet done so to ratify it as soon as possible] its rapid entry into force. The Conference notes progress in the Vienna Agreements on Confidence and Security-Building Measures.]

31 ter. [The Conference welcomes the significant reductions in conventional arms brought about by the Treaty on Conventional Armed Forces in Europe and calls for its strict implementation. The Conference also welcomes the conclusion of the Treaty on Open Skies and urges [all countries which have not yet done so to ratify it as soon as possible] its rapid entry into force. The Conference notes progress in the Vienna Agreements on Confidence and Security-Building Measures.]

32. [Despite the progress that has been made, the Conference regrets the fact that thousands are dying each year as a result of the use of conventional weapons. It notes with appreciation the efforts of the United Nations in that area and urges all States to report to its Register of Conventional Arms.]

32 bis. [Despite the progress that has been made, the Conference deplores the loss of thousands of innocent lives as a result of the use of conventional weapons. It notes with appreciation the efforts of the United Nations in developing principles for transparency in the transfer of conventional arms and invites all States to report to the Register of Conventional Arms.]

32 ter. [Despite the progress that has been made, the Conference deplores the loss of thousands of innocent lives as a result of the use of conventional weapons. The Conference urges States parties seriously to examine ways in which further progress can be made in this area.]

32 qua. [Despite the progress that has been made, the Conference deplores the loss of thousands of innocent lives as a result of the use of conventional weapons. The Conference welcomes the establishment of the Register of Conventional Arms, welcomes the various national contributions to the Register, and notes that all countries are invited to contribute annually to the Register. It further notes the efforts of the United Nations to develop transparency measures on conventional arms transfers. Finally, it calls upon the Conference on Disarmament to re-establish its Ad Hoc Committee on Transparency in Armaments.]

32 qui. [In reviewing progress towards a treaty on general and complete disarmament under strict and effective international control, the Conference takes note of a number of developments in the areas of chemical weapons, conventional force reductions and confidence and security-building measures. The Conference, however, regrets the lack of progress towards the realization of the Treaty itself. The Conference therefore calls for an intensified effort to bring greater confidence and the reduction of

armaments in all areas in pursuit of the objectives set out in the twelfth preambular paragraph as well as in article VI of the Treaty.]

33. [The Conference welcomes the end of the nuclear-arms race and the substantial progress made towards nuclear disarmament. It notes that if there had been cuts of this order in other types of weapons the world would be a safer and more stable place.]

34. [The Conference, however, recognizes that the goal of general and complete disarmament is unlikely to be attained without a concomitant strengthening of all States' security. It concludes that a world free of nuclear weapons is not conceivable in the absence of universal membership of the Treaty and complete and permanent assurances of non-proliferation.]

35. [The Conference urges the Conference on Disarmament to begin in 1996 negotiations on a comprehensive programme of disarmament, encompassing all measures in order to ensure that the goal of general and complete disarmament under effective international control will be achieved at the earliest time in order to fulfil one of the provisions of article VI of the Treaty.]

Conclusion

36. [The Conference, in its review of article VI and the eighth to twelfth preambular paragraphs, observes that in many areas there has been some progress towards the achievement of the purposes and objectives of the Treaty. In other areas work remains to be done, especially in the field of qualitative improvements to nuclear weapons and their delivery systems.]

36 bis. [The Conference, in its review of article VI and the eighth to twelfth preambular paragraphs, observes that much remains to be done before the objectives and aspirations of the Treaty are attained, especially in the field of qualitative improvements to nuclear weapons and their delivery systems. The Conference calls for further disarmament negotiations in which all nuclear-weapon States take part. These States should also establish a specific time-schedule for the implementation of their disarmament measures.]

36 ter. [The Conference observes that in many areas there had been much progress at unilateral and bilateral levels in nuclear disarmament. Regretfully, at the multilateral level much work remains to be done, especially in the field of qualitative improvements to nuclear weapons and their delivery systems.]

37. In that light the Conference takes note of the statement in the Conference on Disarmament on 6 April 1995, in which France, the Russian Federation, the United Kingdom and the United States stated: "We solemnly reaffirm our commitment, as stated in article VI, to pursue negotiations in good faith on effective measures relating to nuclear disarmament, which remains our ultimate goal". It also takes note of the commitment by China to work towards a convention on the complete prohibition and thorough destruction of nuclear weapons. [However, the Conference expresses the

view that concrete commitments on future such negotiations would strengthen confidence in the political determination of nuclear-weapon States to achieve further substantial results in due time.]*

38. The Conference reaffirms the commitment of all parties to the implementation of article VI, the full and effective implementation of which will lead to [the complete prohibition and thorough destruction of nuclear weapons] [general and complete disarmament].

39. [The Conference calls for the intensification of negotiations towards qualitative limitations, further quantitative reductions and elimination of all types of nuclear weapons and the means of their delivery, with the participation of all nuclear-weapon States. The Conference agrees that the achievement of the following measures at an early date is essential to the strengthening as well as the full realization and effective implementation of article VI and the eighth to twelfth preambular paragraphs of the Treaty. In this connection, the Conference urges the implementation of the following programme of action:

(a) Immediate cessation of the nuclear-arms race leading to nuclear disarmament and the attainment of general and complete disarmament under strict and effective international control;

(b) Immediate conclusion and implementation of a universal, internationally and effectively verifiable test-ban treaty by September 1996;

(c) A legally binding commitment by nuclear-weapon States on no-first use and non-use of nuclear weapons with immediate effect;

(d) A non-discriminatory and universally applicable treaty banning the production and stockpiling of [weapons-usable] fissile material for nuclear weapons and other explosive devices by the year 2000;

(e) A programme of action for significant reduction of nuclear weapons leading to the total elimination of such weapons and their delivery vehicles within a time-bound framework by the year 2005;

(f) A legally binding instrument on effective, unconditional and comprehensive security assurances, both positive and negative, to non-nuclear-weapon States by December 1996;

(g) To facilitate the establishment of nuclear-weapon-free zones and full adherence by nuclear-weapon States to the instruments relating to such zones.]

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* Placement to be decided later.

40. [In fulfilment of the obligation of States parties under article VI to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control, [the Conference agrees to convene within a year a conference for the elaboration of a convention prohibiting the use, production and stockpiling of nuclear, thermonuclear and similar weapons of mass destruction and prescribing the steps for effective verification thereof, as well as providing for systematic, transparent and verifiable measures to achieve nuclear disarmament].]

41. [The Conference concludes that the substantial progress made towards nuclear disarmament could only have taken place in a framework of stability and predictability. By preventing widespread proliferation the Treaty has contributed substantially to that framework. The Conference recalls that in order to build further on the momentum created by recent disarmament successes, by the measures in prospect or in progress, it must ensure that the essential framework provided by the Treaty is made permanent.]

42.* The Conference urges all States not parties to the Treaty to accede to it at an early date, thereby, through its universality, enhancing its contribution to subregional, regional and global security.

III. REVIEW OF SECURITY ASSURANCES AND ARTICLE VII

1. The Conference reiterates its conviction that, in the interest of promoting the objectives of the Treaty, including the strengthening of the security of non-nuclear-weapon States parties to the Treaty, all States, both nuclear-weapon and non-nuclear-weapon States, should refrain, in accordance with the Charter of the United Nations, from the threat or use of force in relations between States.

2. [It reiterates that the most effective guarantee against the use and threat of use of nuclear weapons and the danger of nuclear war is nuclear disarmament and the complete elimination of nuclear weapons.] Pending the achievement of this goal on a universal basis and recognizing the need for all States to ensure their independence, territorial integrity and sovereignty, the Conference reaffirms the vital importance of assuring and strengthening the security of non-nuclear-weapon States parties to the Treaty which have renounced the acquisition of nuclear weapons.

3. The Conference underlines again the importance of adherence to and compliance with the Treaty by non-nuclear-weapon States as one of the effective means of strengthening their mutual security and the best means of reassuring one another of their renunciation of nuclear weapons.

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* Placement to be decided later.

4. The Conference recognizes that non-nuclear-weapon States parties to the Treaty which have renounced nuclear weapons and which are in full compliance with their obligations have a legitimate [right] [interest] to receive credible, comprehensive and effective security assurances [in the form of an unconditional, universal and legally binding instrument.]

5. [The Conference takes note [with appreciation] of the statements made by each of the nuclear-weapon States on 5 and 6 April 1995, in which they gave security assurances against the use of nuclear weapons to non-nuclear-weapon States that are Parties to the Treaty. It further [welcomes] [takes note of] [acknowledges the importance of] Security Council resolution 984 (1995) of 11 April 1995, adopted by consensus, in which the Council for the first time noted the security assurances given by the nuclear-weapon States against the use of nuclear weapons to non-nuclear-weapon States parties to the Treaty, and in which it also elaborated measures which would be taken to provide assistance to non-nuclear-weapon States parties to the Treaty that were victims of an act of, or object of threat of, aggression in which nuclear weapons were used. It endorses the view of the Security Council that this constitutes a step in the direction of further appropriate measures to safeguard the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons. [In so doing, it notes that the provision of positive security assurances cannot be construed as endorsing the use of nuclear weapons.]]

6. The Conference stresses the importance of, and encourages the search for, further measures to [register significant progress on] [complement] [strengthen] Security Council resolution 984 (1995), and recognizes [that it is] the view of [an overwhelming majority of] [many] States parties that early conclusion of a multilateral legally binding instrument on unconditional security assurances would effectively ensure the security of non-nuclear-weapon States parties to the Treaty [until such time as nuclear weapons are eliminated].

7. In this context, the Conference notes the following proposals made by States parties:

(a) The proposal, made originally by 11 non-nuclear-weapon States parties to the Treaty 1/ at the Conference on Disarmament on 6 September 1994, for the conclusion of a protocol on security assurances to be attached to the Treaty, and the draft of such a protocol, as contained in document NPT/CONF.1995/MC.I/WP.6;

(b) The proposal by China for the early conclusion of an international convention on non-first use of nuclear weapons as well as an international legal instrument on assuring the non-nuclear States and nuclear-weapon-free zones against the use or threat of use of nuclear weapons at any time or under any circumstances, as contained in document NPT/CONF.1995/MC.I/WP.2;

1/ Egypt, Ethiopia, Indonesia, Iran (Islamic Republic of), Kenya, Mexico, Mongolia, Myanmar, Peru, Sri Lanka and Venezuela.

(c) The proposal by Egypt for the provision of more elaborate security assurances to non-nuclear-weapon States parties to nuclear-weapon-free zone arrangements, as contained in document NPT/CONF.1995/MC.I/WP.4;

(d) The proposal by Egypt for a collective commitment by the nuclear-weapon States to remedy the fundamental shortcomings in Security Council resolution 984 (1995), as contained in document NPT/CONF.1995/MC.I/WP.7;

(e) The proposal by Mexico for the conclusion by the nuclear-weapon States of a protocol on negative security assurances to be annexed to the Treaty, and the draft of such a protocol, as contained in document NPT/CONF.1995/MC.I/WP.1, and in the meantime for States Parties to promote further consideration of security assurances in both the Security Council and the General Assembly;

(f) The proposal by Nigeria for States parties to the Treaty to conclude an agreement on negative security assurances which would become a protocol to the Treaty, and the draft of such an agreement, as contained in document NPT/CONF.1995/MC.I/WP.8;

(g) The proposal by Sweden that a multilateral treaty on negative security assurances be negotiated on the basis of the unilateral declarations by the five nuclear-weapon States, which could be further developed into declarations of non-first use of nuclear weapons.

8. [The Conference urges the States parties to the Treaty to [consider] [pursue] ways and means of discussing [and negotiating] these proposals [, including through the holding of a special conference within a year of the review and extension conference].]

9. [The Conference believes that additional appropriate measures, including those specified in Security Council resolution 984 (1995) are needed to provide protection for non-nuclear-weapon States parties to the Treaty from nuclear threats that emanate from States not parties to the Treaty, which possess [ambiguous nuclear programmes and] significant unsafeguarded nuclear facilities and might have acquired nuclear weapons or nuclear-weapons capability [based on the findings of relevant international organizations].]

10. The Conference notes that consultations and negotiations on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons have been under way in the Conference on Disarmament for over a decade and have not brought about [results, including] [results, particularly] an international legally binding instrument. The Conference urges the Conference on Disarmament to continue its efforts devoted to achieving a common approach [towards] [bearing in mind] this goal.

11. [The Conference further notes the importance of relevant resolutions of the General Assembly calling for conclusion of effective international arrangements to ensure non-nuclear-weapon States against the use or threat

of use of nuclear weapons, in particular General Assembly resolution 49/73.]

12. The Conference holds the view that one of the effective means to assure non-nuclear-weapon States in a legally binding form against the use or threat of use of nuclear weapons is through the establishment of nuclear-weapon-free zones. 2/

2/ The Working Group agreed to refer other material relating to nuclear-weapon-free zones contributed by delegations, as contained in the annex to the present section, to the Working Group jointly established by Main Committee I and Main Committee II to consider nuclear-weapon-free zones in all their aspects.

ANNEX

Attachment to section III*

8. [The Conference holds the view that one of the effective means to assure non-nuclear-weapon States in a legally binding form against the use or threat of use of nuclear weapons is through the establishment of nuclear-weapon-free zones [, especially in the Middle East]. In this context, the Conference commends those nuclear-weapon States which have adhered to and have complied with the obligations of the treaties of existing nuclear-weapon-free zones in Latin America and the Caribbean (the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Tlatelolco Treaty)) and in the South Pacific (the South Pacific Nuclear-Free-Zone (Treaty of Rarotonga))]. [The Conference calls upon the nuclear-weapon States to respect the status of nuclear-weapon-free zones and to undertake corresponding obligations.] [Further, the Conference calls upon nuclear-weapon States to assume similar obligations with respect to other regions with respect to non-nuclear-weapon States parties to the Treaty.]

8.1 [The Conference considers that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among States of the region concerned constitutes an important disarmament measure and therefore the process of establishing such zones in different parts of the world should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the characteristics of each region should be taken into account.]

8.2 The Conference expresses its belief that concrete measures of nuclear disarmament would significantly contribute to creating favourable conditions for the establishment of nuclear-weapon-free zones.

8.3 The Conference welcomes the consensus reached by the General Assembly at its thirty-fifth session (resolution 35/147 of 12 December 1980) that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security, and urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East.

8.4 [The Conference also invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to the letter and spirit of General Assembly resolution 49/71 of 15 December 1994.]

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* Excerpt from an unofficial working paper considered by the Working Group.